

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PORTLAND DIVISION

JUSTIN A. SNEGIREV,

3:10-CV-00762-AC

Plaintiff,

ORDER

v.

ROBERTS MARK; SNEGIREV AGAFIA;
AL BUSHEY, individually and in
his official capacity; MARION
COUNTY CHILD WELFARE DIVISION;
MARION COUNTY; MARION COUNTY
BOARD OF COMMISSIONERS;
OREGON DEPARTMENT OF HUMAN
SERVICES; and STATE OF OREGON,

Defendants.

BROWN, Judge.

Magistrate Judge John V. Acosta issued Findings and
Recommendation (#39) on January 31, 2012, in which he recommends

this Court grant the Motion (#10) to Dismiss of Defendants State of Oregon, Oregon Department of Human Services, and Al Bushey (State Defendants); grant the Motion (#36) to Dismiss of Defendants Marion County and Marion County Board of Commissioners (Marion County Defendants); dismiss Plaintiff's claims against Marion County Defendants without prejudice; dismiss Plaintiff's "Claim-1" with prejudice; dismiss Plaintiff's "Claim-2" with prejudice; dismiss Plaintiff's "Claim-3" with prejudice; dismiss Plaintiff's state-law tort claims with prejudice¹; decline to exercise supplemental jurisdiction as to Plaintiff's remaining state-law claims for child abuse; and dismiss Plaintiff's child-abuse claims without prejudice.

Because no objections to the Magistrate Judge's Findings and Recommendation were timely filed, this Court is relieved of its obligation to review the record *de novo*. *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003)(*en banc*). *See also United States v. Bernhardt*, 840 F.2d 1441, 1444 (9th Cir. 1988). Having reviewed the legal principles *de novo*, the Court does not find any error.

¹ Although the Magistrate Judge states in the Conclusion of the Findings and Recommendation that Plaintiff's state-law claims should be dismissed without prejudice, the body of the Findings and Recommendation make clear Plaintiff's state-law tort claims should be dismissed with prejudice.

CONCLUSION

The Court **ADOPTS** Magistrate Judge Acosta's Findings and Recommendation (#39). Accordingly, the Court **GRANTS** State Defendants' Motion (#10) to Dismiss, **GRANTS** Marion County Defendants' Motion (#36) to Dismiss, **DISMISSES** Plaintiff's claims against Marion County Defendants **without prejudice**, **DISMISSES** Plaintiff's "Claim-1" **with prejudice**, **DISMISSES** Plaintiff's "Claim-2" **with prejudice**, **DISMISSES** Plaintiff's "Claim-3" **with prejudice**, **DISMISSES** Plaintiff's state-law tort claims **with prejudice**, declines to exercise supplemental jurisdiction as to Plaintiff's remaining state-law claims for child abuse, and **DISMISSES** Plaintiff's child-abuse claims **without prejudice**.

IT IS SO ORDERED.

DATED this 21st day of February, 2012.

/s/ Anna J. Brown

ANNA J. BROWN
United States District Judge